

10-24-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #70

TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

-----x
DaimlerChrysler AG,

:

Opposer,

:

Opposition No. 91151713

v.

:

CASUAL DINING, INC.

:

Applicant.

:

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MOTION ON CONSENT TO EXTEND DISCOVERY DUE DATES
AND DISCOVERY AND TESTIMONY PERIODS

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TRADEMARK TRIAL AND APPEAL BOARD

Opposer hereby moves, with the consent of Applicant, and subject to the approval of the Trademark Trial and Appeal Board, for an Order extending as follows, the times set forth below:

(1) Opposer's time to respond or object to Applicant's First Sets of Interrogatories and Requests for Production of Documents shall be extended to December 23, 2002.

(2) Opposer's time to respond or object to Applicant's First Requests for Admissions shall be extended to December 23, 2002.

(3) The closing dates of the discovery and testimony periods shall be extended to the following dates:

The period for discovery to close: February 23, 2003

Testimony period for party in
position of plaintiff to close
(opening thirty days prior thereto): May 24, 2003

Testimony period for party in
position of defendant to close
(opening thirty days prior thereto): July 23, 2003

Rebuttal testimony period to close
(opening fifteen days prior thereto): September 6, 2003

This motion has been consented to by Applicant's attorney, N. Elton Dry, Esq., Dry & Tassin, L.L.P.

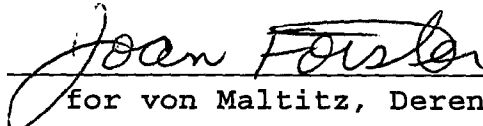
VON MALTITZ, DERENBERG, KUNIN,
JANSSEN & GIORDANO

October 23, 2002

By V. T. Giordano
V. T. Giordano
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Attorneys for Opposer

CERTIFICATE OF SERVICE

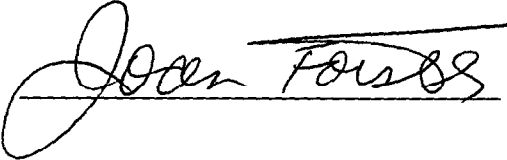
A copy of the foregoing Motion On Consent is being forwarded by First Class Mail this 23rd day of October, 2002 to Applicant's attorney, N. Elton Dry, Esq., Dry & Tassin, L.L.P., 2925 Briarpark Drive, Suite 930, Houston, Texas 77042.


for von Maltitz, Derenberg,
Kunin, Janssen & Giordano

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Date of Deposit: October 23, 2002

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box TTAB/NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.


Joan Fours